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*Canada, Privileges and Elections,
Standing Committee on, 1959*

HOUSE OF COMMONS

Second Session—Twenty-fourth Parliament
1959

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STANDING COMMITTEE
ON

PRIVILEGES AND ELECTIONS

Chairman: Mr. Heath MACQUARRIE, Esq.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 1

FEBRUARY 17, 1959
TUESDAY, MAY 12, 1959
FRIDAY, MAY 22, 1959

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UNIVERSITY OF TORONTO

CANADA ELECTIONS ACT

WITNESS:

Mr. Nelson J. Castonguay, Chief Electoral Officer.

THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1959

STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Chairman: Heath Macquarrie, Esq.,

Vice-Chairman: M. Deschambault, Esq.,

and Messrs.

Aiken,	Fraser,	Meunier,
Barrington,	Grills,	Nielsen,
Beech,	Hardie,	Ormiston,
Bell (<i>Carleton</i>),	Henderson,	Paul,
Bell (<i>Saint John-Albert</i>),	Howard,	Pickersgill,
Benidickson,	Johnson,	Richard (<i>Ottawa East</i>),
Carter,	Kucherepa,	Tassé,
Dinsdale,	McBain,	Valade,
Flynn,	McIlraith,	Webster.

Antonio Plouffe,
Clerk of the Committee.

ORDERS OF REFERENCE

HOUSE OF COMMONS,
TUESDAY, February 10, 1959.

Resolved,—That the following Members do compose the Standing Committee on Privileges and Elections:

Messrs.

Aiken,	Fraser,	Meunier,
Barrington,	Grills,	Nielsen,
Beech,	Hardie,	Ormiston,
Bell (<i>Carleton</i>),	Henderson,	Paul,
Bell (<i>Saint John-Albert</i>),	Howard,	Pickersgill,
Benidickson,	Johnson,	Richard (<i>Ottawa East</i>),
Carter,	Kucherepa,	Tassé,
Deschambault,	Macquarrie,	Valade,
Dinsdale,	McBain,	Webster—29.
Flynn,	McIlraith,	

(Quorum 10)

MONDAY, February 9, 1959.

Ordered,—That the said Committee be empowered to examine and inquire into all such matters and things as may be referred to it by the House, and to report from time to time its observations and opinions thereon, with power to send for persons, papers and records.

WEDNESDAY, February 18, 1959.

Ordered,—That the Standing Committee on Privileges and Elections be empowered to print such papers and evidence as may be ordered by it, and that Standing Order 66 be suspended in relation thereto.

WEDNESDAY, April 29, 1959.

Ordered,—That the Standing Committee on Privileges and Elections be empowered to study the Canada Elections Act, and the several amendments thereto suggested by the Chief Electoral Officer; and to report to the House such proposals relating to the said Act as the Committee may deem to be advisable.

Attest.

LÉON J. RAYMOND,
Clerk of the House.

MINUTES OF PROCEEDINGS

TUESDAY, February 17, 1959.

(1)

The Standing Committee on Privileges and Elections met this day at 10.30 o'clock for organization purposes.

Members present: Messrs. Aiken, Beech, Bell (*Carleton*), Bell (*Saint John-Albert*), Benidickson, Carter, Flynn, Hardie, Henderson, Howard, Kucherepa, Macquarrie, McBain, McIlraith, Meunier, Ormiston and Pickersgill.—17

The Clerk attending, and having called for nominations, Mr. Bell (*Carleton*) moved, seconded by Mr. Kucherepa, that Mr. Macquarrie be elected Chairman.

On the motion of Mr. Flynn, seconded by Mr. Benidickson,

Resolved,—That nominations be closed.

The question being put on Mr. Bell's motion, it was resolved in the affirmative and Mr. Macquarrie took the chair.

Mr. Macquarrie thanked the members for having elected him.

ROUTINE PROCEEDINGS

The Clerk read the Order of Reference.

On motion of Mr. McBain, seconded by Mr. Bell (*Saint John-Albert*),

Resolved,—That permission be sought to print such papers and evidence as may be ordered by the Committee.

A general discussion followed on the possible references to the Committee.

No decision was taken respecting the election of a Vice-Chairman nor the appointment of a Steering Committee.

At 10.40 o'clock, the Committee adjourned to the call of the Chair.

TUESDAY, May 12, 1959.

(2)

The Standing Committee on Privileges and Elections met at 9.30 o'clock. Mr. Heath Macquarrie, the Chairman, presided.

Members present: Messrs. Aiken, Beech, Bell, Deschambault, Dinsdale, Flynn, Fraser, Henderson, Howard, Kucherepa, Macquarrie, McBain, Nielsen, Ormiston, Paul, Pickersgill, Tassé and Webster—18.

In attendance: Mr. Nelson J. Castonguay, Chief Electoral Officer, and Mr. E. A. Anglin, Q.C., Assistant Chief Electoral Officer, Ottawa.
Vice-Chairman

On motion of Mr. Webster, seconded by Mr. Aiken,

Resolved,—That Mr. Deschambault be elected Vice-Chairman.

On motion of Mr. Fraser, nominations were closed.

Subcommittee on Agenda and Procedure

On motion of Mr. Aiken, seconded by Mr. Ormiston,

Resolved,—That a subcommittee on Agenda and Procedure, consisting of the Chairman and six other members of the Committee to be named by him, be appointed.

Printing

On motion of Mr. Kucherepa, seconded by Mr. Paul,

Resolved,—That, pursuant to the power given to the Committee by the Order of Reference of February 18th, the Committee print, from day to day, 750 copies in English and 200 copies in French of its minutes of proceedings and evidence.

The Clerk read the Order of Reference dated Wednesday, April 29, 1959.

(*See evidence issue No. 1*)

Mr. Pickersgill referred to the House of Commons Debates of August 26, 1958 and quoted a suggestion he then made in respect of political broadcasts. He reiterated his suggestion.

Mr. Aiken was of the opinion that the Committee might consider this matter on conclusion of its Order of Reference.

The Chairman introduced Mr. Nelson J. Castonguay and Mr. E. A. Anglin.

Mr. Castonguay was called. He made a brief statement and tabled mimeographed copies of suggested draft amendments to the Canada Elections Act for the perusal of the members and subsequent consideration of the Committee. These copies were distributed forthwith to the members present.

The witness also tabled a document comprising suggestions which his office has received and which pertain to various sections of the Canada Elections Act.

Ordered,—That the above papers be printed as an Appendix. (*See Appendix I to this day's evidence*)

At 9.50 o'clock, the Committee adjourned to the call of the Chair.

FRIDAY, May 22, 1959.

(3)

The Standing Committee on Privileges and Elections met this day at 9.30 o'clock pursuant to notice. The Chairman, Mr. Heath Macquarrie, presided.

Members present: Messrs. Barrington, Bell (*Carleton*), Carter, Grills, Hardie, Henderson, Howard, Johnson, Kucherepa, Macquarrie, McBain, Paul, Pickersgill, Richard (*Ottawa East*), and Tassé—15.

In attendance: Mr. Nelson J. Castonguay, Chief Electoral Officer, and Mr. E. A. Anglin, Q.C., Assistant Chief Electoral Officer.

The Chairman informed the Committee that he had appointed the following members to act with himself as a Subcommittee on Agenda and Procedure: Messrs. Howard, Richard (*Ottawa East*), Aiken, Bell (*Carleton*), Deschambault and Webster.

The Subcommittee, he stated, held a meeting on Tuesday, May 19th, and recommends as follows subject to the Committee's assent:

1. That no exhaustive examination be necessarily made this session on the proposed amendments to the Canada Elections Act;
2. That Mr. Castonguay be heard and further examined thereon;
3. That the communications tabled at the previous meeting by Mr. Castonguay be summarized by his office and printed as Appendix I (*Referred to in the Minutes of Proceedings of May 12*), along with the other communications received by the Secretary of State Department and forwarded to the Committee on May 15th and 19th last.

On motion of Mr. Bell, seconded by Mr. Howard, paragraph 3 above was adopted.

The Chairman's report was agreed to.

The Chairman then welcomed the Secretary of State, the honourable Henri Courtemanche.

Mr. Castonguay was then called and questioned on his proposed amendments. He made further comments on the general features of the Act and was examined.

Mr. Bell queried the witness on a report submitted to him by Justice Wilfrid Lazure. Mr. Castonguay undertook to secure legal advice as to whether he could table this report in the Committee before submitting same to the House as provided by statute.

Mr. Castonguay was also questioned on certain irregularities during elections which were the basis of investigations. A report on this matter will be made to the Committee later.

At 11.50 a.m. Mr. Castonguay's examination still continuing, the Committee adjourned to the call of the Chair.

A. Plouffe,
Assistant Chief Clerk of Committees.

DELIBERATIONS

TUESDAY, May 12, 1959.

The CHAIRMAN: Gentlemen, I see a quorum. We have some routine matters in respect of organization which we should take up at this time.

Before that, and before someone else moves it, your chairman wishes to say he regrets that this meeting conflicts with other important committee meetings. In the future, we shall do our best to avoid such a conflict. Having made that abject confession, we will go on to the next item of business, which is the election of a vice-chairman. I do not know why I should so closely juxtapose these two things. Nominations are in order.

Mr. WEBSTER: I would like to propose Mr. Deschambault as vice-chairman of this committee.

Mr. AIKEN: I second the motion.

Mr. PAUL: Mr. Deschambault has not arrived yet.

The CHAIRMAN: Mr. Deschambault performed faithfully and well at the last session. Are there any further nominations?

Mr. FRASER: I move the nominations close.

The CHAIRMAN: Thank you, Mr. Fraser.

Motion agreed to.

The CHAIRMAN: Thank you, gentlemen. The mantle has fallen upon Mr. Deschambault. He will be so advised when he comes along.

It also has been the procedure that we have a steering committee on agenda. In the past it has been composed of six members of the committee and the chairman.

Mr. AIKEN: I would move that the chairman be authorized to appoint a steering committee of six members.

Mr. ORMISTON: I second the motion.

Motion agreed to.

The CHAIRMAN: We also have the matter of the printing of the evidence.

Mr. KUCHEREPA: What is the usual motion?

The CHAIRMAN: In the past, the committee has authorized the printing of 750 copies in English and 200 copies in French.

Mr. KUCHEREPA: I so move.

The CHAIRMAN: Moved by Mr. Kucherepa that the committee have printed 750 copies in English and 200 copies in French of its minutes of proceedings and evidence; seconded by Mr. Paul.

Motion agreed to.

The CHAIRMAN: Mr. Deschambault, you have been acclaimed vice-chairman of this committee.

Would the clerk be good enough to read the reference from the house as to our procedure?

The CLERK of the COMMITTEE:

WEDNESDAY, April 29, 1959.

That the standing Committee on Privileges and Elections be empowered to study the Canada Elections Act, and the several amendments thereto suggested by the chief electoral officer; and to report

to the house such proposals relating to the said act as the committee may deem to be advisable.

The CHAIRMAN: Thank you.

Mr. KUCHEREPA: For clarification, do those fundamentals preclude us from submitting further recommendations to the house relative to the Canada Elections Act?

The CHAIRMAN: Further than those put forward by the Chief electoral officer?

Mr. KUCHEREPA: Yes.

The CHAIRMAN: I am not a legal officer, but nevertheless I should think they do not preclude such. However, I think in order to avoid the necessity of an immediate interpretation, we would be perfectly safe in proceeding with the recommendations of the chief electoral officer. Of course we are perfectly safe in calling upon him at our first meeting.

Mr. PICKERSGILL: Before you do that, I wonder if I might draw the attention of the committee to something which took place in the House of Commons at the last session. It seems to me this committee should take some cognizance of the matter. I am not asking we take cognizance of it today. I am merely giving notice. Perhaps the simplest thing for me to do would be to read from *Hansard* of August 26, 1958 in respect of an amendment I moved to the Broadcasting Act which was later withdrawn at the request of Mr. Nowlan, the minister. This is at page 4119.

Mr. Chairman, in view of what the minister has just said and in view of the opportunity we have had to air the matter, if the minister were prepared to give the assurance that at the next session of parliament—

That is the one we now are in.

—the whole question of political broadcasting would, on the initiative of a member of the government, be remitted to the committee on privileges and elections for study with a view to making recommendations as to suitable legislation, because this is not the kind of legislation the government should design—

Mr. Nowlan interrupted and said this:

I am perfectly prepared to do that. I felt that I could not accept the amendment in the words in which it was phrased.

In view of that understanding given by the minister to bring this matter to the attention of this committee at the beginning of the session—I admit this is quite a long way, we hope, from the beginning of the session—the amendment was withdrawn and I believe that the committee ought to give consideration as to how this matter could be brought before it.

The CHAIRMAN: Thank you.

Mr. AIKEN: I feel this would be a matter for the house because we are not sitting to discuss estimates or anything of that nature. We are starting out to consider the Canada Elections Act. That is all the house has referred to us. I would think it would be a matter to be arranged in the house, unless we want to assume much more work than we can handle at this session.

The CHAIRMAN: It is conceivable that the matter may be discussed before another committee which is now sitting dealing with the other aspect of the case.

Mr. PICKERSGILL: That was discussed at the time the legislation was before the house at the last session. I think there was general agreement it was not a proper subject to go before the broadcasting committee and should go before this committee.

Mr. AIKEN: Might I suggest that perhaps when we have concluded our work in respect of the Canada Elections Act, at that time we might consider asking for further terms of reference.

The CHAIRMAN: Yes. It is conceivable there might be quite a lapse of time between now and the conclusion of our work. It is difficult at this time to predict. I think the steering committee, when formed, might have a look at the general picture.

If that is all of a general nature, I would like to call to the committee one of its star witnesses of the past, an expert on this question of elections, the chief electoral officer, Mr. Nelson J. Castonguay whom we are very happy to have with us. With him we have the assistant chief electoral officer, Colonel E. A. Anglin. Both these gentlemen are very well known to the committee.

EVIDENCE

Mr. NELSON J. CASTONGUAY (*Chief Electoral Officer*): Mr. Chairman, since the Canada Elections Act last was referred to this committee for study in 1955, I have received representations and suggestions for amendments to it. I advised all the persons making representations and suggestions that I would submit their representations and suggestions for the consideration of this committee whenever the Canada Elections Act was referred to the said committee for study. If I may I would now like to give you these suggestions. These are all the original letters containing the suggestions and representations.

The Canada Elections Act permits me to make suggestions in respect of amendments for the more convenient administration of the act. I have prepared a draft mimeographed bill with explanatory notes of all the amendments I propose to suggest. They are of a technical nature and in my opinion they would be an improvement to the present provisions, if the committee decides to adopt them.

For each member of the committee I have prepared a kit containing the amendments, plus a copy of the Canada Elections Act, plus a copy of my remarks in respect of the last two general elections of the House of Commons.

Mr. Chairman, I do not have much to say beyond that.

Mr. KUCHEREPA: May I ask a question? Have you had many complaints regarding the difficulties in reading the office consolidation of the Canada Elections Act by the public?

Mr. CASTONGUAY: No. I received only one complaint from one official agent in respect of the office consolidation of the Canada Elections Act. It will appear in these letters which I have submitted to the chairman.

Mr. BELL (*Saint John-Albert*): May I ask what will happen to these letters? Will they appear in our record?

The CHAIRMAN: I would think the committee might move they be printed as a part of our evidence of today.

Mr. BELL (*Saint John-Albert*): I move that that be done, if it is necessary and if it is what has been done.

Mr. CASTONGUAY: It has been done in the past.

The CHAIRMAN: Mr. Bell moves that the letters which Mr. Castonguay has tabled be printed as an appendix to the minutes of proceedings and evidence of today's meetings.

Seconded by Mr. Beech.

The CHAIRMAN: Agreed.

(See Appendix I)

The CHAIRMAN: I believe there are some fifty-odd letters. The correspondence is much more voluminous than it was the last time.

Mr. CASTONGUAY: I think the reason for that is we have had two general elections.

EVIDENCE

FRIDAY, May 22, 1959.

The CHAIRMAN: Gentlemen, at long last I see a quorum and we will proceed with our meeting. It is my pleasure to announce that, pursuant to your action of last meeting, I selected the steering committee, comprised of the following members; Deschambault, Aiken, Bell of Carleton, Howard, Richard of Ottawa East, and Webster.

This group met on Tuesday and gave some consideration to questions of agenda. As I recall our collective thought, it was felt that we might, with feasibility, proceed with the recommendations suggested by the chief electoral officer; that we might subject him to questions and elicit his views on certain other suggestions which have come in from various sectors of the public. We need not, necessarily, proceed in this session towards that very important and somewhat Herculean task which has eventually to be performed by this committee, the close and detailed, section by section survey of the act with a view to amendments to be passed on to the house.

The steering committee paid some special attention to the letters which were presented to us at the previous meeting by Mr. Castonguay, and certain considerations have arisen which affect the decision taken at the last meeting. It has been discovered that several of these letters are—to all of us, so far—quite indecipherable. That is one factor.

There have been, since then, memoranda from the office of the Secretary of State referring to several other letters which have come in and which are not, therefore, included in this group. The steering committee concluded that it would be better—indeed, perhaps necessary—that these be not printed, because of these technical reasons; but that the chief electoral officer might make a summary of the letters and note the suggested amendments to the Canada Elections Act to which they refer.

We have received—and I will table these—two notes from the office of the Secretary of State, dated May 15 and May 19, doing just that with respect to other letters. That is the report of the steering committee. It will be up to the committee to take action relative to its action of the last meeting, and I am prepared to entertain a motion along those lines.

Mr. BELL (*Carleton*): Mr. Chairman, I would move that the summary alone be printed as an appendix to these proceedings.

Mr. HOWARD: I second that.

The CHAIRMAN: Moved by Mr. Bell, seconded by Mr. Howard: that the letters be printed in summary and that the chief electoral officer prepare that summary. Is that agreeable, gentlemen?

Agreed.

The CHAIRMAN: I am happy to have with us the Secretary of State, showing his interest in this committee. We do appreciate your presence, sir, and ask you to take a place with us. I call upon Mr. Castonguay and Colonel Anglin to come before us again.

Our first item today will be consideration of the amendments proposed and tabled by the chief electoral officer at the last meeting. If he has any comment to make at this time, we will be happy to have him do so: if not,

we may proceed directly with the questions which any members of the committee may care to direct to Mr. Castonguay. You have all had these proposed amendments for some time.

Mr. HOWARD: Are we to deal with these seriatim as they appear?

The CHAIRMAN: I would think so, unless there is something of a general nature on which you would like to inquire.

Mr. HOWARD: I have one question with respect to the suggested change to Rule (23). This, as I understand it, will conform with the procedure with respect to other notices under the act?

Mr. N. J. CASTONGUAY (*Chief Electoral Officer*): Yes, it will, Mr. Chairman—the same procedures as the notice of grant of a poll and a proclamation.

Mr. HOWARD: In Rule (23B) you propose a new rule, that if the postmaster fails to post up this notice of revision, and so on, that failure to do so will be ground for his dismissal from office. Does that same penalty also apply if he fails to put up the other notices?

Mr. CASTONGUAY: That same penalty applies to the other notices. It is not a new provision.

Mr. BELL (*Carleton*): Has the Postmaster General been consulted with respect to that particular provision?

Mr. CASTONGUAY: No, he has not.

Mr. BELL (*Carleton*): Is it not unusual to put in an election act a provision for the dismissal of a postmaster?

Mr. CASTONGUAY: The committee previously recommended this to the house. They supported this particular thing. I do not know if there was any reference to the Postmaster General. It is not a new principle in the act.

Mr. BELL (*Carleton*): It is not a new principle in the act?

Mr. CASTONGUAY: No, it has been a long-standing principle in the act.

Mr. HARDIE: Why are you proposing this amendment?

Mr. CASTONGUAY: Under the urban procedure, the returning officer is required to post up two notices of revision in each polling division, and representations have been made by returning officers that parks authorities, hydro companies and telephone companies complain that our notices are there and endanger their men.

At the last election, action was even taken against some of our returning officers in Toronto by the parks committee—but the charges were withdrawn—about posting these notices there. We received similar complaints from the parks people in Montreal. It must be remembered that under the urban procedure we mail a copy of the list of electors in a polling division to each householder, roughly speaking. On that list of electors there is a notice on the top informing the householder where the revising officer is going to sit and the hours he is going to sit, so that the public will not be deprived of any information. Of these notices that are put up, some are torn down pretty fast, and I think the civic authorities, the hydro people, and the Bell Telephone people in general approve of this.

Mr. RICHARD (*Ottawa East*): As a matter of fact, they do not last very long in rain or in snowy weather in the winter, or anything like that.

Mr. BELL (*Carleton*): There is no change proposed in the procedure so far as the rural polling divisions are concerned.

Mr. CASTONGUAY: None at all.

Mr. CARTER: Did Mr. Castonguay say that notices are mailed to every householder in the rural districts?

Mr. CASTONGUAY: No; in the urban divisions the list of electors is mailed to each householder of that polling division, and on that list of electors is a heading informing the electors when the revising officer sits, the hours he sits and where he sits for his sittings of revision. Also, the electors are informed—in that same heading—as to where they will vote. That information is also contained in this notice which is posted up. You can imagine that more people receive service from the mailing of these than people who actually read this notice—if they are up long enough for people to read them.

Mr. HOWARD: Mr. Chairman, I would move endorsement of this particular change to Rule (23), if that is what you desire, procedurally.

The CHAIRMAN: I am wondering if we need to commit ourselves at this stage.

I am wondering whether or not at this stage we need any resolution.

Mr. HOWARD: It does not matter to me.

Mr. PICKERSGILL: I wonder why not. There is no point in threshing the straw more than once unless there is some dissent.

The CHAIRMAN: I would be happy to entertain the motion.

Mr. KUCHEREPA: Is there any other way of advertising this, such as in the newspapers and the press.

Mr. CASTONGUAY: I think the difficulty in respect of advertising in newspapers in large centres such as Toronto, Montreal, Vancouver and Winnipeg, would be that it would add more confusion for the electors. For instance in a city like Toronto, where you would have 100 revisal districts, we would have to describe all those districts and I think it would be a very difficult thing.

Mr. PICKERSGILL: In the first place no one would read the advertisements, or most of those who would not be able to understand them. They would not know where the streets were. I think it would be a sheer waste of the taxpayers' money.

Mr. KUCHEREPA: A lot of persons seem to miss the revision. I wonder whether or not the returning officer has any suggestion as to means of getting this across to the people?

Mr. CASTONGUAY: I have received no suggestions from returning officers other than representations to remove these postings. It seems to me the mailing of this list is working fairly well. There are bound to be persons who will not get the list, but their neighbours will. I also understand that the political organizations do a great deal of work in this respect.

Mr. PICKERSGILL: Do you send these to every householder regardless of whether or not his name is on the list.

Mr. CASTONGUAY: No; we have to use the voters' list for the mailing.

Mr. PICKERSGILL: Why?

Mr. CASTONGUAY: The names are on there.

Mr. PICKERSGILL: The post office provides a good householder delivery service. That would ensure that everybody in the district would get it.

Mr. CASTONGUAY: It could be done that way.

Mr. PICKERSGILL: You would not have to put the individual's name on it.

Mr. BELL (*Carleton*): In a rooming house district there would be a problem where there may be 15 or 20 persons living in the residence.

Mr. RICHARD (*Ottawa East*): If you have two Smiths and two Jones' living in a house do you mail only one list to each?

Mr. CASTONGUAY: We send it to one Smith and one Jones.

Mr. RICHARD (*Ottawa East*): Is the difficulty not so much in the fact that persons do not know where the list is but rather the fact that it is difficult

to get to the revising office, which is not accessible in urban centres to most of the people? Does that not cause great difficulty?

Mr. CASTONGUAY: I do not know that I will go along with the word "accessible".

Mr. RICHARD (*Ottawa East*): But the distance?

Mr. CASTONGUAY: Yes. In the Canada Elections Act there is a provision which provides for another elector to act as the agent of an elector who is not on the list. If anyone is not able to go to the revisal office, his agent may go on his behalf. It is used a great deal.

Mr. PICKERSGILL: Do these agents have to be authorized?

Mr. CASTONGUAY: Not necessarily. The qualification for agent is just that he be a qualified elector of that whole electoral district.

The CHAIRMAN: Are there any further comments on 23?

Mr. PICKERSGILL: Why does he have to be an elector?

Mr. CASTONGUAY: That is one of the qualifications put in by parliament. I would imagine it is part of the basic safeguards that are now provided in the Canada Elections Act in respect of local knowledge.

Mr. PICKERSGILL: I am thinking that someone eighteen years of age is just as competent to put somebody else's name on the voters' list as is somebody aged 21. I think they should be persons resident in the district but not necessarily an elector.

Mr. RICHARD (*Ottawa East*): The agent's name is already on the list. I think it saves a lot of trouble in establishing that a man is a resident of the district if his name is on the electors' list.

Mr. HOWARD: There is a proposed change in the form which is required when an agent puts a person's name on the list. I wonder if we might not have this discussion as to residence of the qualified voter under that particular section. It is form 17.

The CHAIRMAN: Is that agreeable?

Agreed.

The CHAIRMAN: Have you any comment, Mr. Castonguay on the next section?

Mr. CASTONGUAY: Mr. Chairman, the Canada Elections Act now prescribes that an election officer must be an elector of the electoral district. However, the forms of oath of office on appointment do not require he take an oath to that effect. In the electoral district of St. Paul's, in the 1958 general election, more than 80 polling divisions were enumerated by persons who were not electors of the electoral district.

I ordered an inquiry to be held. Mr. Justice McRuer recommended that if the principle of an election officer being an elector is of sufficient importance, then to facilitate the work of the returning officer and to facilitate administration of the act, it would be advisable to require that the election officer take an oath to the effect that he is qualified as an elector in the electoral district.

Mr. BELL (*Carleton*): The language of the report of Chief Justice McRuer is rather interesting. He starts off: If the residential requirement of the enumerator is of substantial importance the oath of office should be established. After he made a very detailed investigation he seemed to have some doubt as to whether or not there was substantial importance to this. Would you outline what you think is the substantial importance of the residential requirement?

Mr. CASTONGUAY: My own view of the substantial importance is that the safeguards provided in the Canada Elections Act mostly are on local knowledge.

We are required to collect nine million names in six days. In putting a name on the list, the benefit of the doubt is left very much in favour of the elector when the enumerator calls. When they call at an apartment building, invariably they get their information from the janitor, because the people are not present. In a dwelling house they may get their information from a minor.

Our instructions to enumerators are to include the name rather than deprive someone by not putting his name on the list. During the period of the revising, the revising officers have a great deal of difficulty in knowing whether to add names or strike off names. Then in respect of your officials at the poll on polling day, a great deal of the safeguards are through local knowledge of the electors who present themselves to vote.

If we had a system of permanent lists and a means of identifying the elector, then I do not see any importance to a person serving who is an elector of the riding. Most of the safeguards imbedded in the Canada Elections Act are on local knowledge.

Mr. PICKERSGILL: How long has there been the provision that you must be an elector?

Mr. CASTONGUAY: Since the act was established in 1920; since the office was established in 1920.

Mr. PICKERSGILL: Then I broke the law on two occasions. In 1921 when I was 16 I was a poll clerk and again in 1925 when I was 20 years of age. So also did nearly every other impecunious student in my class at the University of Manitoba. I would like to put in a word for students. I think that local knowledge is important, but I do not see any reason why the enumerator or the poll clerk need be of the full age of 21 and an elector of the riding.

Mr. HOWARD: Those are the views I was about to express in so far as poll clerks in particular and enumerators are concerned, that university or high school students in their later years, and so on, be allowed to participate in this process of elections in order to familiarize themselves with the electoral processes. Secondly, I believe in many cases, even under-age high school or university students are far more assiduous in the application to their duties than are many older persons who happen to have these posts.

The particular thing I would be concerned with is it would allow the younger people to participate in some way in the electoral process and to familiarize themselves with it as much as possible so that they may later be able to perform their duties as voters, or participants, when they do become of age.

Mr. RICHARD (*Ottawa East*): I do not agree with that.

Mr. HENDERSON: In an election in the town of Dawson Creek, the enumerators had no knowledge of the people when they went out and swore in 700 people in an afternoon. If they had been high school students doing the work, they would not have had that many.

Mr. RICHARD (*Ottawa East*): I do not agree with the suggestion. I can understand that in certain districts it is difficult to obtain enumerators. I think, however, the whole Elections Act is based on the principle that the electors who cast their votes are also the persons who will be working at the polls as poll clerks and returning officers. I think enumerators should be persons who are punishable under the law and who could be charged with offences under the law.

Mr. PICKERSGILL: There are certain areas in the country where it is very difficult—perhaps not in a year like this, but in some years—to get enumerators, poll clerks and persons of that sort who might be convenient. As a matter

of fact, it was a great convenience to me because it was a little bit of extra cash which I found very welcome indeed. Nobody else particularly wanted the job at that time.

Mr. HARDIE: You find places in the north like Bathurst Inlet where there is only one white man, a missionary who is a Belgian without Canadian citizenship. The Hudson Bay man who arrived there very recently is not an elector of the district. These two men are the only persons qualified in the area to act as enumerator, poll clerk, or deputy returning officer.

Mr. CASTONGUAY: The last committee in 1955 recommended that eligibility of clergymen to act as election officers would be removed. They would not be eligible to serve under the act.

Mr. HARDIE: Would you consider sending in a man in a chartered aircraft at a cost of \$1,000 or \$1,600 to act as enumerator and also spend another \$1,000 to send in a man on election day to run the polls?

Mr. CASTONGUAY: In respect of these remote posts invariably we have to send in an aircraft to deliver the ballot box.

Mr. HARDIE: Yes, some time before the election.

Mr. CASTONGUAY: So the expense is there anyway. We have to get the box there.

Mr. HARDIE: But if you were to take a man in you would have to leave him there for a matter of two weeks in some cases.

Mr. KUCHEREPA: Should we not take a look at this whole problem. Undoubtedly, there are cases of which Mr. Hardie knows which are peculiar because of the great distances involved.

But, going back to the situation in Toronto-St. Paul's, there is no question about it that the fact there are so many people who participated in this election, in that particular election, who are not electors of that riding, contributed a great deal to the problems which arose in that constituency.

Mr. CASTONGUAY: There were no problems as such in 1958; the problems area of participate in the election that created some of this problem?

Mr. KUCHEREPA: But would you consider that to be the basis of the problem, that there were so many people who came from outside that particular area to participate in the election that created some of this problem?

Mr. CASTONGUAY: No, I would not say that.

Mr. KUCHEREPA: You would not think so?

Mr. CASTONGUAY: No, I am not in a position really to give any opinion on that. I do not think that Chief Justice McRuer commented. He held an inquiry, and I do not think he made any comment to that effect.

Mr. RICHARD (*Ottawa East*): I have another suggestion. I think this opens up a whole new outlook on the act, because it might affect other sections. I was wondering whether this section could be passed, or whether the committee could decide for the present, in view of the fact that you intend to revise the whole act next year, at the next sitting of parliament, where there will have to be a matter of policy outlined in respect of the whole act, and a decision could be made at that time. At this time could we touch only one particular section, because we are only touching these amendments; we are not touching the rest of the act. If you amend this, it is out of line with the rest of the act somewhere else; I think for the present perhaps we should just put it in line with the present practice, and then next year we could go ahead when we make a revision of the whole act, and discuss at that time how we should treat this problem. Otherwise we will be delayed.

Mr. KUCHEREPA: I agree that that is the basic principle involved. It affects many sections of the act, and we should make up our minds as to the principle

—whether we are going to touch that principle at this time or not. Because, by making a hodge-podge type of arrangement we may end up by developing or we may develop new problems in other sections.

Mr. CASTONGUAY: This amendment I recommend is not introducing a new principle in the act; it is strengthening the principle that is now in the act. But permitting people under 21 years and permitting anyone who is not an elector to act as an election officer introduces a new principle.

Mr. BELL (*Carleton*): I think I agree that if we are going to continue the principle in the act we must strengthen it as it is here. Mr. Richard has pinpointed the problem, that if you take people who are residents and not electors you have really no means of finding out who they are.

The situation is that if they are electors they are on the list and they turn up at the poll in some official capacity. Then the party organizations have a chance to check that person through an official list. If it is just a matter of residence, then it seems to me you would have to have a city directory and a rural mail directory for your people in the area, and you would have a very considerable problem on your hands. No doubt there has been a breach of the provision in the act, so far as students are concerned.

All of us know that students have acted from time to time and I do not think anybody has ever raised any serious complaint about it. But to import a completely new principle of residence only to qualify I think might be very dangerous and very difficult for the party organizations in those ridings where the organizations sometimes are not the very best. I have in mind ridings such as Cartier, which has created problems in every election.

On the other hand those of us who have ridings where there is not too much difficulty in elections would perhaps go along with this; but there are ridings in this country where we have to have the tightest possible control.

The CHAIRMAN: Do you have any comments, Mr. Castonguay?

Mr. CASTONGUAY: The only thing is that, in connection with the requirement that a person be a qualified elector to act as an election officer, we find that they give residence in the constituency for the purposes of receiving their cheques. When we cannot find them on the list we find them on the lists of other electoral districts.

I do not know how we would check where these residences were. People who have residence in other electoral districts could give residence in districts in which they are working, and just get their cheques; and then we have no means of finding out whether they are qualified residents of the district; because their names might not have appeared in any other list.

The CHAIRMAN: Is there anything further?

Mr. HOWARD: Without prejudice to any future position I might take, I am still of the opinion, especially in so far as poll clerks are concerned, and enumerators, that this provision, so far as being a registered voter is concerned, should be waived. But because we intend to make an exhaustive study at the next session—which I hope will be done early in the session—I would agree to endorse these suggestions, with that qualification, that it does not bind me in any way to a position in review later on.

The CHAIRMAN: I understand, Mr. Howard, that you have expressed the view of the subcommittee when it had a discussion. The purpose was that we look at these things today as amendments to the existing act; the house ordered us to do that.

It is conceivable that the term “elector” could be re-defined, and therefore the operation would be quite different. Is there anything further?

Mr. HARDIE: With respect to remote areas, not only the people in the Northwest Territories but, for instance, those in areas of northern Saskatchewan and northern Manitoba as well as northern British Columbia, there are cases where, if you were to follow these amendments out to the letter, the electoral officer would have to ship in people from other districts who are not familiar with the particular polling booths, to act as election clerks or deputy returning officers.

I feel that in these districts, in this sort of amendment there should be some rider in there dealing with remote areas where—well, for instance such as in the Hudson bay area where a British subject might come in too late to be an elector in that district, and some other person might act. Usually you will find that they are more familiar than anyone you could send in from any other part of the electoral district.

Mr. CASTONGUAY: I suggest that in 1955 the committee made an exception to permit clergymen to act as election officers in 21 electoral districts. Those are electoral districts that bordered on the Northwest Territories, Yukon and Hudson bay.

I would imagine that the committee would consider section 130 again, permitting northern electors to act as election officers in those 21 ridings where those problems do exist.

The CHAIRMAN: Meantime we hope there will be no election in the northern areas before that time.

Mr. HOWARD: Or the southern areas.

Mr. HARDIE: I do not care; any time at all suits me.

The CHAIRMAN: Then, have you agreed to that section, gentlemen?

Agreed.

The CHAIRMAN: Then, to move on—

Mr. CASTONGUAY: Form No. 13—

The CHAIRMAN: Form No. 13—

Mr. CASTONGUAY: And then form No. 32, and form No. 33.

Mr. RICHARD (*Ottawa East*): They are all the same.

Mr. BELL (*Carleton*): Form 17 is a different principle.

Mr. CASTONGUAY: Yes, it is a different problem. That covers—those forms are to be amended.

Mr. BELL (*Carleton*): The proposed amendment to form No. 17 is to bring it in line with what I always thought was the situation.

Mr. RICHARD (*Ottawa East*): Yes.

Mr. CASTONGUAY: This is a recommendation of Chief Justice McRuer, again as a result of the inquiry made into the revision in connection with the 1957 general election in the electoral district of St. Paul's.

Mr. RICHARD (*Ottawa East*): That was also the interpretation you always put on it, and gave as instructions to those who called on you, that it should be signed in the presence.

Mr. CASTONGUAY: We could not very well—

Mr. RICHARD (*Ottawa East*): You could not enforce it?

Mr. CASTONGUAY: No, but it was suggested. But now Chief Justice McRuer makes this situation, that it is to be signed in his presence.

Mr. BELL (*Carleton*): It is difficult to see how anyone could take an oath that it was in the handwriting of the person, without it being signed in his presence, particularly when there is no qualification in the old affidavit—"to the best of my knowledge, information and belief"—or something to that effect.

The CHAIRMAN: Is that carried?

Agreed.

Mr. CASTONGUAY: That is form 18, too?

The CHAIRMAN: That takes care of form No. 18, as well.

Mr. CASTONGUAY: The next is form No. 36. It is a suggested amendment to form No. 36 which is as a result of a suggestion made to me by an officer of the Auditor General's branch.

The CHAIRMAN: Any questions, gentlemen?

Mr. HOWARD: Agreed.

The CHAIRMAN: Then, we will pass on.

Mr. CASTONGUAY: The next has to do with the printing of the list of candidates to enable members of the Canadian forces to vote. The provisions and the regulations require that I print these lists of candidates. We find it difficult, in so far as time is concerned.

Nomination day is two weeks, in most electoral districts, before polling day. All telegrams from 241 returning officers are sent to me that day. We have to compile a list of the candidates and their political affiliations. Then, the time element has been in the past—the procedure has been that I go to the Queen's printer about midnight with the proof of this list, and it is delivered next morning at nine o'clock—that is, Tuesday morning, 13 days before polling day.

But, as you know, the service voting begins on the Monday preceeding the ordinary polling day. So that that only gives us five days to deliver these lists to Edmonton, Ottawa and Halifax. From there they break it down to some 300 service voting places.

They have to distribute it in 300 service voting places. That problem is difficult enough; but the one for overseas voters is a great deal more difficult. In that connection we get on the phone at midnight and we spend two hours on the phone with the special returning officer, to phone in all the names of the candidates and their political affiliations, so that he, in turn, can have it printed there.

That takes two days in England. After it is printed in England he has to distribute it to Egypt, Israel and all the Western European countries, and Indo China and everywhere else.

I would say that in Canada we can still print the list of candidates and have it distributed to the special returning officers for distribution from them to the various voting places and military establishments. But for overseas voting, this requirement of printing makes it very difficult. It would save a great deal of time if we could just have it mimeographed or reproduced in some other method.

Mr. KUCHEREPA: Litho.

Mr. HOWARD: This proposal applies only to the armed forces voting list.

Mr. CASTONGUAY: This is the list of candidates.

Mr. HOWARD: I am sorry,—the armed forces voters.

Mr. CASTONGUAY: Yes, the armed service voters. The act now requires that we print this list. Printing in Ottawa is very fast, due to cooperation of the Queen's printer. They do excellent work there. We have it next morning at nine o'clock. But when we have to phone to England, and invariably have a two-hour phone conversation with the special returning officer there, he has to check back. Some of the information he has not got correctly or he has not prepared, or he is not prepared to print until four or five hours after the phone call; and then it takes about 48 hours to get the list printed.

Mr. BELL (*Carleton*): On occasions you have had problems with the names in transmission, have you not?

Mr. CASTONGUAY: That is why we adopted the phoning method. The telegram method was not satisfactory at all.

Mr. BELL (*Carleton*): It seems to me there was a certain constituency in Cape Breton one election where the wrong name of the candidate was put on.

Mr. CASTONGUAY: You can imagine the problem we had in 1953 for the Korea set-up. There, at the other end, with the Japanese operators, the electoral districts did not turn out, and the candidates were all mixed up.

Mr. CARTER: Is that printing done by a private firm in England?

Mr. CASTONGUAY: Yes.

Mr. CARTER: Have you ever tried to make arrangements with the Queen's printer for things like that?

Mr. CASTONGUAY: I give the special returning officer complete freedom in the manner in which he can get it done by the fastest and most expeditious means.

Mr. CARTER: You mentioned that here in Ottawa you had tremendous cooperation with the Queen's printer, because you have got it done quite fast. I was wondering whether perhaps at government level or at departmental level some arrangement could not be worked out with the Queen's printer in London or in England?

Mr. CASTONGUAY: We have had excellent cooperation there through Canada House, and with all the authorities in England. The special returning officer has full instructions and full liberty to have it printed in whatever manner he wants, and in the most expeditious manner. It is to his interest to have it printed that way. So if the Queen's printer can turn it out faster, I am sure we can get the cooperation.

Mr. CARTER: I was not thinking about putting the burden on him and working out an arrangement with the Queen's printer; I was wondering whether it could not be arranged beforehand between the two governments.

Mr. CASTONGUAY: That could be explored.

The CHAIRMAN: Is there any further comment, gentlemen?
Agreed.

Mr. CASTONGUAY: That takes care of all my amendments.

The CHAIRMAN: Having sat in several other committees of late I must explain my psychological inability to accept your offer with alacrity, Mr. Howard. Thank you very much.

Mr. HOWARD: We are not all stinkers.

The CHAIRMAN: We intend to hear further from Mr. Castonguay at a later date—probably even before this meeting is over. You say, through the correspondence you saw,—through the correspondence that has been sent to you,—certain suggestions which were fairly popular, and none of these is terribly new, with respect to substantive changes in the Elections Act, and it might be that the committee would be interested in exploring these in a general way.

Mr. BELL (*Carleton*): Mr. Chairman, I wonder if Mr. Castonguay, at a subsequent meeting, could give us a survey of the manner in which advance polling is handled in each of the provinces? Perhaps he could also indicate the situation in some of the other commonwealth jurisdictions, if he has that information available.

I would like to know what the total number of votes cast in the advance polls in the provinces may be—take the province of Ontario, which is wide

open now—and the cost of running the advance polls in the provinces. I think that if we could get that in tabular form, it would be very helpful to the committee in considering the problem of advance polling, which has been raised by a very large number of people who have written in.

Mr. CASTONGUAY: With regard to the province of Ontario, the chief electoral officer there has been very cooperative with me in the past; but it may take some time to get this information because he is rather busy now. I would need his cooperation to get that information. I might have to wait a month or two before I could get that information from him.

Mr. HOWARD: We will still be here.

Mr. CASTONGUAY: Given time, I could get that information.

Mr. RICHARD (*Ottawa East*): Mr. Chairman, I thought there had been a suggestion made that Mr. Castonguay would, from his correspondence and from his experience—because outside of the correspondence, no doubt he has had many representations from other people—classify the other headings where there have been suggestions made, such as advance polling, regional voting, a permanent list, et cetera, for those who have not had experience of the committee before.

Perhaps he could give us his views on these things, so that next year we may be better educated and better prepared to study the whole situation. I do think that we should have, maybe not a lecture, but a sort of resume of this act: what this act is; how it is built up. Perhaps Mr. Castonguay could do that, and then follow on with the general headings, such as advance polls and other subjects.

The CHAIRMAN: As I recall the suggestion which Mr. Castonguay has accepted, it is that this correspondence will be so classified. For instance, these from the Secretary of State's office do just that: they note the letters that have come in on various subjects, with summaries on them.

Mr. CASTONGUAY: Most of the suggestions I have read are representations for absentee voting or extension of privileges to vote at advance polls for all classes of people, not only commercial travellers and transportation people.

In most commonwealth countries absentee voting—in the two provinces in Canada that have absentee voting—goes hand in hand with a permanent system of lists; that is, a permanent registration. Then you can provide for absentee voting. In the province of Saskatchewan they adopted a method of absentee voting which merely requires an elector to make an affidavit that he will be absent, and he is allowed to vote.

The province of Saskatchewan does not record a permanent list; they have the same basic method as we have to prepare lists. I am not familiar with the details of the permanent lists—that is, the technical aspect of it, or the administrative side of it—because the only experience I have ever had in this country with a permanent list was in 1934, when parliament brought down the Franchise Act and there was a general enumeration in June, 1934. There was a revision in June, 1935, and the election was held in October, 1935.

The committee that was set up after the 1935 elections studied methods of compulsory voting, compulsory registration, permanent lists and all features of the act for three sessions, 1936, 1937 and 1938. They made their report in 1938, adopting the present system. The reason that the permanent list system did not give any satisfaction here was that the onus of recording any change of dwelling or position was left upon the elector himself, mostly. There was no house-to-house canvassing, checking on lists to bring them up to date. Where they have permanent lists in the commonwealth, there is at least a bi-annual house-to-house check to bring the list up to date. I am just giving you a rough picture of this.

But if the committee were anxious to have detailed information as to the workings of these systems, it would require—in my view—somebody to make a study of the permanent lists, say in some of the states of the United States where they have permanent lists. This would include a study of the situation in England also, and maybe Australia, where they have compulsory registration and compulsory voting. They have had that for many, many years, and I would imagine that, from the mechanical side, they would have that down pat by now. I can only give you information, even next year, of the general principles involved in the permanent lists, not the working details.

Mr. CARTER: Mr. Chairman, I would like to make a suggestion about a different subject, for Mr. Castonguay's consideration; that is, the better delineation of polling sections and directions to the booths in a riding like St. John's, which is an urban riding but which extends out into the country and becomes rural. There was considerable difficulty there. I went down to the headquarters, and there were a lot of people trying to locate where the geographical boundaries of certain polling sections were. It was so vague that hardly anyone could be sure about it.

I searched around, and it took me about two hours to discover the booth. There should be more conspicuous markings and more conspicuous directions, so that people do not have to search around to discover the polling booth.

Mr. CASTONGUAY: In so far as the descriptions of the polling booths are concerned, I ordered a general revision of all polling divisions in Canada in 1956 and 1957. Also, instructions were given to the returning officers that they were to give a list of the descriptions of the polling divisions they established to all recognized political organizations in their electoral districts, and they were to entertain any recommendation or suggestion to improve these descriptions.

That is the procedure we have adopted now, and it has been fairly satisfactory. In so far as giving directions to the electors as to where the polling booth is located is concerned, that could be improved a great deal by the returning officer, who has full freedom to do it.

Mr. CARTER: I am not complaining that they did not do all you asked them to do, but even with that, the description was still not very sharp; you hardly knew whether you were in this section or whether you belonged to the adjoining one, and when you came to look for the place in which to vote, it was in a little inconspicuous house some distance off the road. You would pass it 100 times without noticing the sign that there was a polling booth there.

I think it certainly should be out near the road, where people driving around in a car would see it. You do not look a quarter of a mile away from the road, looking for the sign to a booth. It was there; but it was hard to find.

Mr. CASTONGUAY: I could send a copy of the minutes of the evidence of this committee meeting to the returning officer, and he could improve that at the next election, I am sure, with your recommendations.

Mr. PICKERSGILL: I would like to return to this question of a permanent list, and I would like to ask Mr. Castonguay if he has ever made an estimate of how much the electoral period could be reduced if there were a permanent list. I must say, I do not think there is anything terribly wrong with the present system of enumerating in itself; but the thing that has always bothered me about it is that the total election campaign has to be so long.

Mr. CASTONGUAY: In 1934, the Franchise Act permitted the holding of elections in 30 days from the date of the issue of the writ, but the period from

the date of the issue of the writ and polling date, in 1935, was 60 days, even though the legislation provided a period of 30 days. So you could reduce it to 30 days, I would say, in this country.

Mr. PICKERSGILL: You think you could: you could provide for the necessary revision, and so on?

Mr. CASTONGUAY: If we had a permanent list.

Mr. PICKERSGILL: That was always my opinion, that it could be very substantially reduced; and it has always seemed to me it was pretty important from that point of view. Obviously, a permanent list would cost more than the present system, I would think; but you would have an enormous saving in the cost of elections.

Mr. CASTONGUAY: There would be a big problem with the 21 constituencies where there is a period of 28 days between polling day and election day.

Mr. PICKERSGILL: Is that 28 days really necessary?

Mr. CASTONGUAY: In some cases, yes. The period of 28 days is provided because of the limited printing facilities in some of these remote districts. In a large city you can get your ballots printed in two days, and in these districts it may take five or six days. Then there is the question of transportation and communication, and the climate may be such that you cannot land by aircraft. That time is very essential, in those circumstances, to get the boxes in. We have dropped ballot boxes by parachute.

Mr. PICKERSGILL: I know.

Mr. CASTONGUAY: I would not say the period of 28 days is required in all of the 21 constituencies, but I would say that in maybe four or five of those districts that are now listed in these 21, the period of 28 days may be essential. If the writ issues on the 30th day, and nomination day is on the 28th, it is going to present a very great problem to political candidates.

Mr. PICKERSGILL: I do not think you could have a thing like that; but even three days would make a difference. My riding is one of those 28-day ridings, where obviously it is not necessary it should be 28 days.

Mr. CASTONGUAY: At certain times of the year, no; but at other times of the year, yes—when the ice comes down.

Mr. PICKERSGILL: In my experience, in my riding it has not been necessary. But in Grand Falls-White Bay-Labrador—

Mr. CASTONGUAY: There, you have difficulty.

Mr. PICKERSGILL: Even with 28 days.

Mr. GRILLS: You have difficulty in my riding too.

Mr. PICKERSGILL: I do not think that in the other ridings you would have difficulty.

Mr. CASTONGUAY: If I mention some of them: the Yukon, the Mackenzie district, the electoral district of Saguenay, White Bay-Grand Falls-Labrador, it is essential, if the ballot box is going to be delivered on time to all places.

Mr. HARDIE: It is evident, from what Mr. Castonguay has said, that you could not drop a man off by parachute, very well, to enumerate some of those polls in my riding.

Mr. GRILLS: Mr. Chairman, I was not here at the earlier part of the meeting. Was there any discussion about this military service list? One of the most confusing problems we had in my riding was concerned with military lists; military personnel who had the privilege of voting the week previous to the elections. In some cases they did not vote, and in some cases they had voted and they went—in two cases that I know of—to a civilian polling booth

that was situated in their neighbourhood and wanted to vote there also. In a couple of cases they voted in both places—to which I objected.

However, there were several who came there and then found they could not vote there. They were quite annoyed about it and there was a lot of complaining. They did not make use of their franchise the week previous. Their place of domicile—register—was out of the riding, but they were living in the riding, of course, off the R.C.A.F. station.

Mr. CASTONGUAY: That problem exists in every electoral district where we have military establishments. There is only one way to control it, and that is compelling members of the Canadian forces to vote merely through the service voting procedure. That means they would not be entitled to take part in civilian polls in this country. I am not trying to suggest that it needs controlling, but if the committee wish to avoid this, and simplify the work of election officers, then the only way is to compel servicemen in Canada to vote through their service voting procedure.

Mind you, they have six days to vote; they can vote at any military establishment in the country if they are on leave or furlough. In that way, it could be controlled very easily, and this problem would not arise; but it will always arise as long as the present regulations stay as they are. As long as they are permitted to vote at the civilian poll, this problem will always arise and be very difficult to control.

Mr. GRILLS: I think it does need controlling—and I say that respectfully—because of the confusion that it causes, if for no other reason.

Mr. KUCHEREPA: Do you think it might be desirable, for example, to have a permanent list for these 21 ridings to which reference has been made, as a way of alleviating some of the problems that face your officials and the candidates in these ridings?

Mr. CASTONGUAY: A permanent list requires at least a bi-annual revision in order to bring the list up to date; that is, to record anyone who has left, who has come of age, or has died. You would need officials to operate in this way in these remote polling divisions.

Mr. KUCHEREPA: You would not have that list for enumeration; you would only have revision?

Mr. CASTONGUAY: I do not have any problems there—when I say “problems”, everything is relative—but in these remote areas, do not ever think the enumeration commences on the 49th day and ends on the 44th day. I have power, under the act, to extend the period of enumeration. I do extend the period of enumeration under certain circumstances, when we cannot get in there—that is, the returning officer cannot select a point and get the supplies to the enumerator so he can commence his enumeration on the 49th day. So I extend the period of enumeration in these areas to a time when we can get an enumerator in there, or the supplies in there.

That only happens, under our present system—except for the last few years—once every four years, so there is leeway. The only leeway I have not got, and the only power I have not got is to extend the polling day, if the returning officer cannot get in with the ballot box. There are not many places where we have not been able to get in with a ballot box, including these 21 districts. In one case we dropped them in James Bay; the box, which was on a parachute, fell into the water. They wired me up there and asked me if they could dry them out and use them, and I said, “Yes, go ahead”. They fished them out of James Bay. But I do not think that would happen in many places.

Mr. PICKERSGILL: It seems to me that the main advantage is simply to cut down the total time for the election, and the problem of enumeration is just as great in Toronto as it is in Mackenzie river, from that point of view.

You have to have the time for regional enumeration and revision, whereas if you had a permanent list, you would only have the revision.

Mr. CASTONGUAY: I would say the most important factor with a permanent list is not the period of enumeration, but with a permanent list there is the bi-product of the absentee vote. That would be the answer—in many, many cases—of people voting who, necessarily, for any reason, have to be absent from home.

Mr. PICKERSGILL: Quite.

Mr. CASTONGUAY: That would be, I imagine, the major consideration the committee would like to consider, because that is the answer to most of the representations made here to the committee. In my own view, the advance poll is not the answer, for the simple reason that in the province of Ontario they used to have the same restrictions as we do regarding persons voting at the advanced polls. I believe the vote then was 5,000. They had roughly around 220 advance polls, and then in their last election they permitted anyone to vote at the advance poll for any reason. That had the effect of nearly doubling the vote. I think the vote went to about 9,000; but it also had the effect of quadrupling the number of polls. From 220 that went up to 900 advance polls. Advance polls are expensive under our set-up; they run to a minimum cost of about \$155.

That has been the experience I have noticed in the provinces where they have removed all restrictions. So really, from those statistics, you do not feel—at least, I do not feel—that is the answer to the representations made here. You must remember that under the Ontario system their advance polls are on a Friday and Saturday, and their ordinary polling day is on a Wednesday or Thursday, so there is a greater gap to take people who have to leave, and yet the number of votes has only doubled. When I say “doubled”, it has gone to 9,000. Our advance polls ran to about 256, and there are around 11,000 people who voted, and in this country there must be 50 electoral districts where there are no advance polls, the answer to that would be a very expensive answer. It depends on the way the government lists are adopted. And if it is adopted in that way it runs to a great deal of money.

That is why I say if the committee wishes to consider a permanent list, then I think someone should make a study—not in the parliamentary library, but actually seeing these places where the system is in effect, and making a study of the mechanical side. I am not making a pitch for a trip to any of these overseas places.

Mr. HOWARD: I would be glad to go.

Mr. CASTONGUAY: I do not see how anyone could get reliable or authoritative information on a permanent list until someone makes a study of the existing system.

Mr. PICKERSGILL: Is it not true that no one could very effectively make such a study, except someone who had conducted an election? I am not trying to get a trip, but I am trying to be realistic about it. If you have never run an election yourself in this country, you are not going to have any standard of comparison.

The CHAIRMAN: I was wondering if Mr. Castonguay is suggesting that the committee should make the expedition!

Mr. JOHNSON: I wonder if it is on the record, that the hon. member for Skeena has agreed?

Mr. BELL (Carleton): I had considerable experience.

Mr. CARTER: I am interested in the problem of missing ballot boxes, or delay in returning ballot boxes. I could not take my seat in the House of

Commons when parliament opened because about 50 votes were missing in a couple of ballot boxes, which had no effect whatsoever on the outcome of the election.

Mr. CASTONGUAY: That can be easily cured if all the ballot boxes are not in on the official eve of the voting. There is a maximum period of two weeks in which the returning officer may exercise his authority, until such ballot box or ballot boxes which are delayed because of distances and inaccessibility arrive. A simple method would be to reduce the period of two weeks to one week. Then you would have had your seat on time.

Mr. CARTER: Well, I move that. I move a motion to that effect.

Mr. PICKERSGILL: I think you will have to make some provision for the fact that at least in a very close election, the other ballot boxes might affect the election. There would have to be some flexibility. In Mr. Carter's of course, he had practically all the votes anyway.

Mr. CASTONGUAY: In a close election we have always taken steps to have an aircraft go in to get the ballot boxes, so that the boxes would always be there; because a recount generally follows a very close balloting and it must be ordered within four days after.

Mr. RICHARD (*Ottawa East*): With reference to that trip to Australia, I suggest that our Chairman should request his leader to send him to the parliamentary association meeting in Australia this summer, and then he could spend his time studying the system over there.

The CHAIRMAN: There is no objection to that suggestion—but perhaps you might carry it further.

Mr. BELL (*Carleton*): Might I ask Mr. Castonguay one or two questions in connection with his report of May 8, 1958? He stresses at page 3 of this report, the report on the inquiry being made by Mr. Justice Wilfrid Lazure. Has that report been received?

Mr. CASTONGUAY: The report has been received. I have appointed counsel to prosecute, to take proceedings against one person. Proceedings have been taken, and we have received convictions. As soon as the period of appeal has been reached—about which I must consult counsel—I am prepared to submit that report.

Mr. BELL (*Carleton*): You will be submitting it to the committee at that time?

Mr. CASTONGUAY: According to the Canada Elections Act I have to submit the report to the House of Commons within the first ten days of each session. Whether I would have to wait until the next session, I cannot say. I propose to do it at the next session, because the period of appeal would have expired by that time. But whether I am permitted to submit it to this committee, without first having submitted it to the house, I do not know.

Mr. PICKERSGILL: I should think not.

Mr. BELL (*Carleton*): I would think it would be to the house first. But I can see no objection to its going to the house as soon as the period for appeal expired.

Mr. CASTONGUAY: The act permits me to do it within only the first ten days of each session.

Mr. BELL (*Carleton*): That is something that should be clarified.

Mr. PICKERSGILL: Have you had legal advice on that?

Mr. CASTONGUAY: No.

Mr. PICKERSGILL: That you could not do it earlier.

Mr. CASTONGUAY: Within ten days after the commencement of a session. That is set out in section 58(1) of the Canada Elections Act, as it appears at page 227 of this booklet, General Election Instructions for Returning Officers.

Mr. PICKERSGILL: That is, if you have a report to submit; but supposing you have a report to submit after those ten days are over, I would think you would not have to wait until another session has started.

Mr. CASTONGUAY: I can obtain a legal opinion on that.

Mr. BELL (*Carleton*): I think you should, because that is an anomaly.

Mr. PICKERSGILL: My own opinion would be that it would not be.

Mr. BELL (*Carleton*): You mentioned offences in certain other ridings; were charges laid in respect of those?

Mr. CASTONGUAY: Yes.

Mr. BELL (*Carleton*): You spoke of seven ridings?

Mr. CASTONGUAY: All the investigations have been completed and proceedings have been taken against each one of them. The evidence substantiated or justified taking proceedings against them.

Mr. BELL (*Carleton*): Do you have any report on that?

Mr. CASTONGUAY: I have it here.

Mr. BELL (*Carleton*): Could we have it at another meeting of the committee?

Mr. CASTONGUAY: I have it here now.

The CHAIRMAN: I understand Mr. Bell would be happy to have it at the next meeting.

Mr. BELL (*Carleton*): Quite satisfied.

Mr. HOWARD: We are getting close to the time of adjournment. As I understand, what might happen is that Mr. Castonguay will summarize the contents of those letters, so far as general suggestions are concerned; and then at a future meeting or meetings during this session we will deal with the specific things, in a general way.

Mr. RICHARD (*Ottawa East*): Specific headings.

The CHAIRMAN: Then, I understand the meeting is adjourned.

Mr. HOWARD: When do we meet again?

The CHAIRMAN: At the call of the Chair—likely in about a week's time.



